

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **BONE BLOCKS AND METHODS FOR INSERTING BONE BLOCKS INTO INTERVERTEBRAL SPACES** the specification of which was filed on **26 MAY 1999** as Application No. **09/320,081** and was amended on _____ (if applicable).

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:




| Application No. | Filing Date |
|-----------------|-------------------|
| 60/086,945 | May 27, 1998 |
| 60/113,651 | December 23, 1998 |
| 60/120,663 | February 19, 1999 |


I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status |
|-----------------|----------------|--------|
| | | |

| | | | | |
|--------------------------|--|-----------------------------------|---------------------------------------|--------------------|
| Full Name of Inventor 1: | Last Name: MCKINLEY | First Name: JAMES | Middle Name or Initial: T. | |
| Residence & Citizenship: | City: Woodside | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 17560 Skyline Boulevard | City: Woodside | State/Country: California | Postal Code: 94062 |
| Full Name of Inventor 2: | Last Name: MARINO | First Name: JAMES | Middle Name or Initial: F. | |
| Residence & Citizenship: | City: La Jolla | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 2620 St. Tropez Street | City: La Jolla | State/Country: California | Postal Code: 92307 |
| Full Name of Inventor 3: | Last Name: STONE | First Name: CORBETT | Middle Name or Initial: W. | |
| Residence & Citizenship: | City: San Diego | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 12212 Misty Blue Court | City: San Diego | State/Country: California | Postal Code: 92131 |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|--|---|---|
| Signature of Inventor 1  JAMES T. MCKINLEY | Signature of Inventor 2  JAMES F. MARINO | Signature of Inventor 3  CORBETT W. STONE |
| Date July 14, 1999 | Date 7/14/99 | Date 7/15/99 |



PA 3008102 v1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100